

Remarks/Arguments

This Amendment and the following remarks are intended to fully respond to the Final Office Action mailed April 23, 2008. No new matter has been inserted. Claim 15 has been cancelled without prejudice or disclaimer. Claims 13 and 16 are amended herein. Claims 13, 14 and 16 remain pending. Applicant submits that the pending claims are supported by the specification. Reconsideration and allowance are requested for at least the following reasons.

Rejection of Claims Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 13-16 under 35 U.S.C. § 102(b) as anticipated by Maehara, US 6,186,294. Applicants respectfully traverse this rejection and do not concede the correctness of any characterizations of the cited references or pending application set forth in the Office Action.

Independent claim 13 is directed to a high performance brake assembly for an automotive braking system. Claim 13 requires, in part, wherein on actuating the cylinder assembly the lever rotates about its pivot and actuates the strut assembly so that the lined trailing shoe receives inputs from both the cylinder assembly and the strut assembly.

One example drum brake assembly that is configured in accordance with the limitations of claim 1 is described at paragraph 49 of the present application. This section characterizes one non-limiting embodiment of the disclosure describing that a sum of forces developed from two distinct inputs are developed on the lined trailing shoe by virtue of the optimally configured assembly. "The new lever is pivoted on the lined leading shoe with one end resting on the wheel cylinder assembly piston and the other end on the strut assembly. This new lever touches the wheel cylinder assembly piston instead of the lined leading shoe and receives input from the pressurized wheel cylinder assembly. Upon actuating the wheel cylinder assembly, the new lever rotates about its pivot point and pushes the strut assembly. The lined trailing shoe now receives two inputs viz., one from the wheel cylinder assembly and the other from the strut assembly, which is mechanically actuated by the new lever. The reaction from the lined trailing shoe is passed via the strut assembly as an Input to the lined leading shoe. The wheel cylinder

assembly input and the strut assembly reaction force together acting on the pivot, results in almost twice the force acting on the leading shoe.”

The sum of forces developed from two distinct inputs imparted on the lined trailing shoe is further demonstrated with Figure 2 of the disclosure, where the equivalent force on the lined trailing shoe is described as:

$$F_{\text{trailing}} = B(\text{Input New Lever } 17) + D(\text{Input Wheel Cylinder } 4 \text{ Piston } 12) = FA + FA = 2FA$$

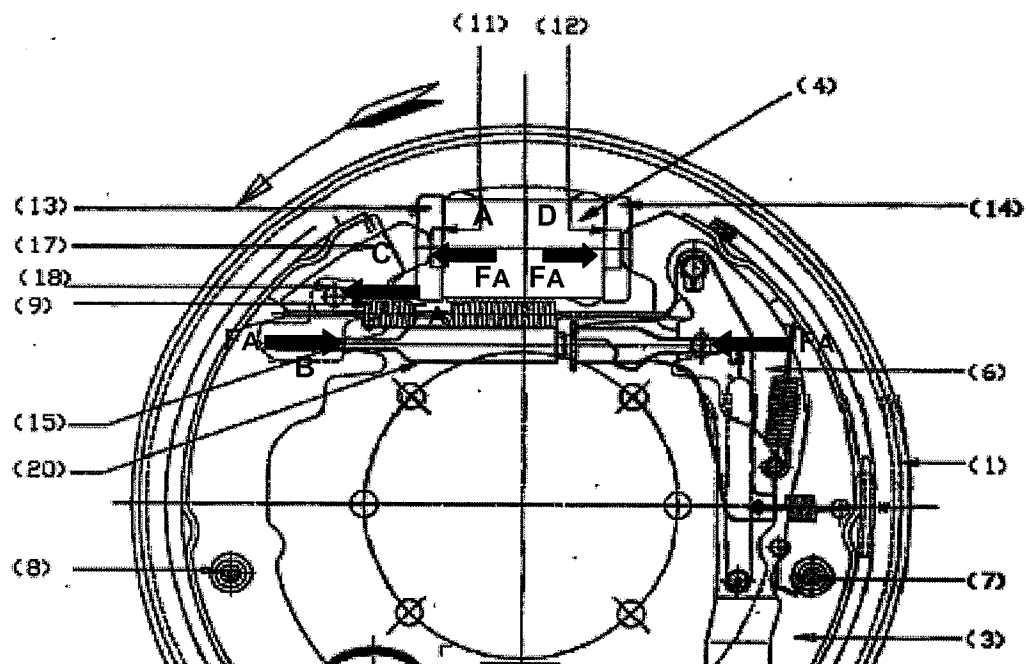
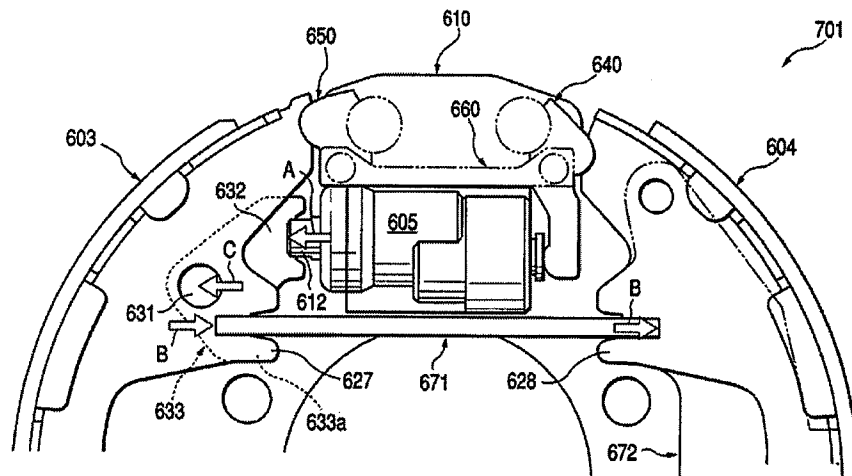


Figure 2

Maehara fails to disclose the limitations noted in claim 13. Rather, Maehara teaches a drum brake assembly that imparts a force on a “secondary brake shoe 604” through only a single input source named “Input Lever 633”, please note col. 23 lines 5-27. The single input of force imparted on the secondary brake shoe is further demonstrated by Figure 13 of Maehara.

FIG. 13



Thus, in the cited reference, the drum brake assembly is configured such that only a single force is imparted on the secondary brake shoe. At no point does Maehara teach or suggest a force input for a brake shoe via two distinct sources.

Since Maehara fails to disclose at least, wherein on actuating the cylinder assembly the lever rotates about its pivot and actuates the strut assembly so that the lined trailing shoe receives inputs from both the cylinder assembly and the strut assembly, Maehara does not disclose each of the elements of independent claim 13. Therefore, reconsideration and withdrawal of the rejection of claim 13, as well as claims 14 and 16, that depend therefrom, is requested.

Summary

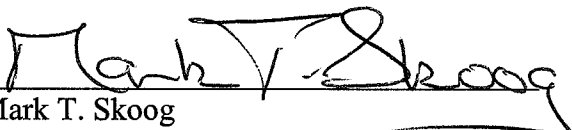
In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,
Deposit Account No. 13-2725.

Respectfully submitted,

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